

1 LERACH COUGHLIN STOIA GELLER
2 RUDMAN & ROBBINS LLP
3 DARREN J. ROBBINS (168593)
RANDALL J. BARON (150796)
A. RICK ATWOOD, JR. (156529)
STEPHEN J. ODDO (174828)
4 DAVID T. WISSBROECKER (243867)
655 West Broadway, Suite 1900
5 San Diego, CA 92101
Telephone: 619/231-1058
6 619/231-7423 (fax)
darrenr@lerachlaw.com
7 ricka@lerachlaw.com
steveo@lerachlaw.com
8 dwissbroecker@lerachlaw.com

9 ROBBINS UMEDA & FINK, LLP
BRIAN J. ROBBINS (190264)
10 CAROLINE A. SCHNURER (206088)
610 West Ash Street, Suite 1800
11 San Diego, CA 92101
Telephone: 619/525-3990
12 619/525-3991 (fax)
brobbins@ruflaw.com
13 cschnurer@ruflaw.com

14 Co-Lead Counsel for Plaintiff

15 UNITED STATES DISTRICT COURT

16 SOUTHERN DISTRICT OF CALIFORNIA

17 In re PETCO ANIMAL SUPPLIES, INC.) No. 3:07-cv-00602-BEN-WMC
SHAREHOLDER LITIGATION)
18 _____) CLASS ACTION
19 This Document Relates To:)
20 ALL ACTIONS.) DECLARATION OF DARREN J. ROBBINS
) IN SUPPORT OF MOTION TO REMAND
) ACTION TO STATE COURT
21 _____) DATE: June 11, 2007
22) TIME: 10:30 a.m.
23) CTRM: The Hon. Roger T. Benitez
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1 I, DARREN J. ROBBINS, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the State of
3 California and before this Court. I am a member of the law firm of Lerach Coughlin Stoia Geller
4 Rudman & Robbins LLP, one of the counsel of record for plaintiff in the above-entitled action. I
5 have personal knowledge of the matters stated herein and, if called upon, I could and would
6 competently testify thereto.

7 2. Attached are true and correct copies of the following exhibits:

8 Exhibit A: Letter from Stephen J. Oddo to Timothy R. Pestotnik, dated March 27, 2007;

9 Exhibit B: Email chain between Stephen J. Oddo and Timothy R. Pestotnik, dated
10 March 27, 2007;

11 Exhibit C: Email chain between Stephen J. Oddo and Timothy R. Pestotnik, dated
12 March 27, 2007 to March 30, 2007;

13 Exhibit D: Email chain between Stephen J. Oddo and Timothy R. Pestotnik, dated
14 March 27, 2007 to April 2, 2007;

15 Exhibit E: *Fink v. Venture Catalyst, Inc.*, No. 02 CV 1283, Order Granting Plaintiff's
16 Motion to Remand (S.D. Cal. Sept. 23, 2002);

17 Exhibit F: *Stewart v. Travers*, No. 03CV2125, Order Granting Plaintiff's Motion to
18 Remand (S.D. Cal. Feb. 10, 2003);

19 Exhibit G: *In re CrossWorlds Software, Inc. S'holder Litig.*, No. C02-01249, Order
20 Granting Plaintiffs' Motion to Remand to State Court (N.D. Cal. June 21,
21 2002); and

22 Exhibit H: S. Rep. No. 105-182 (May 4, 1998).

23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct. Executed this 3rd day of May, 2007, at San Diego, California.

s/DARREN J. ROBBINS
DARREN J. ROBBINS

25 S:\CasesSD\PETCO State\dec00041586.doc

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CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 3, 2007.

s/DARREN J. ROBBINS

DARREN J. ROBBINS

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)

E-mail: DarrenR@lerachlaw.com

Mailing Information for a Case 3:07-cv-00602-BEN-WMC

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Peter H Benzian**
peter.benzian@lw.com terri.fife@lw.com
- **Timothy R Pestotnik**
tim@tprlaw.com emma@tprlaw.com
- **Darren Jay Robbins**
e_file_sd@lerachlaw.com
- **Richard Mark Segal**
richard.segal@pillsburylaw.com charles.sandlin@pillsburylaw.com
- **Jesse T Travis**
jesse.travis@wilmerhale.com
- **John A Valentine**
John.Valentine@wilmerhale.com
- **Eric S Waxman**
ewaxman@skadden.com mcouchoi@skadden.com;avelkes@skadden.com
- **Andrew B Weissman**
Andrew.Weissman@wilmerhale.com abwman@starpower.net

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)